



November 16, 2005

LAS VEGAS CITY COUNCIL

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DOUGLAS A. SELBY  
CITY MANAGER

Mr. Todd Glick  
LV Flatiron, LLC  
4928 Brookburn Drive  
San Diego, California 92130

RE: SDR-8634 – SITE DEVELOPMENT PLAN REVIEW  
CITY COUNCIL MEETING OF OCTOBER 19, 2005  
RELATED TO SUP-8672 AND SUP-8673

Dear Mr. Glick:

The City Council at a regular meeting held October 19, 2005 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 50-STORY MIXED-USE DEVELOPMENT CONSISTING OF 5,890 SQUARE FEET OF RETAIL SPACE, 4,785 SQUARE FEET OF RESTAURANT SPACE, AND 320 RESIDENTIAL CONDOMINIUM UNITS; AND WAIVERS OF THE SIDEWALK AND AMENITY STANDARDS AND THE BUILDING STEPBACK REQUIREMENTS OF THE DOWNTOWN CENTENNIAL PLAN on 1.12 acres adjacent to the northwest corner of Las Vegas Boulevard and Fourth Street (APNs 162-03-201-001, 002 and 162-03-101-001), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 20, 2005. This approval is subject to:

Planning and Development

1. The City of Las Vegas shall meet with the Owner to discuss the development, disposition and acquisition of any and all property owned by the City of Las Vegas that is included in and part of the approved site development plan for SDR-8634.
2. The east face of the wall on the activity deck shall have a six-foot high sound wall.
3. The eighth and ninth floors will not have residential windows overlooking Las Vegas Boulevard.
4. Approval by the City Council and conformance to the Conditions of Approval for a Special Use Permit (SUP-8672) to permit the building to exceed a height of 200 feet and for a Special Use Permit (SUP-8672) for a Mixed-Use development.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

CITY OF LAS VEGAS  
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6. All development shall be in conformance with the site plan and building elevations, date stamped 09/09/05, except as amended by conditions herein.
7. Waivers from the Downtown Centennial Plan Design Standards are granted as follows:
  - o A Waiver in the requirement that buildings be stepped back from five to 16 feet at the fourth, 11th and 18th story levels.
  - o A Waiver in the building placement along the street right-of-way lines.
  - o A Waiver to allow part of the required 11-foot wide sidewalks along the street frontages to be constructed on private property in lieu of within the street rights-of-way
8. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the conditions of approval herein.
9. Palm trees shall be installed in the public right-of-way on north/south streets at a maximum spacing of 35 feet on center (30 feet on center preferred) in accordance with Subsection DS4.2.a of the Downtown Centennial Plan. The palm trees shall have a minimum height of 25 feet upon installation, as measured to the top of the brown trunk. Shade trees, in single or double rows, may be provided alternately between the required palm trees.
10. Prior to the issuance of a building permit, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 25 percent of the total landscaped area as turf.
11. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City and shall be permanently maintained in a satisfactory manner.
12. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
14. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

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15. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
16. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
17. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
19. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
20. Lighting on the exterior of the building shall be shielded and shall be downward-directed.
21. Prior to the submittal of a building permit, the applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
22. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
23. All City code requirements and design standards of all City departments must be satisfied.
24. There shall be no construction staging of cranes or material on Las Vegas Boulevard or Fourth Street other than occasional parking within the roadway.

**Public Works**

25. No encroachment permit, building permit or grading permit shall be issued to the Owner until such time as the Owner is the record owner in fee of any and all property included in and part of the approved site development plan for SDR-8634.
26. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
27. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard adjacent to this site.

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28. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
29. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer relocation requirements prior to the issuance of any permits or the submittal for a map for this site, whichever may occur first. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
30. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.
31. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
32. Landscape and maintain all unimproved rights-of-way, if any, on Fourth Street and Las Vegas Boulevard adjacent to this site.
33. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Fourth Street and Las Vegas Boulevard public rights-of-way adjacent to this site prior to occupancy of this site.

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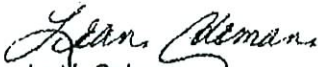
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34. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
35. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

Sincerely,



Leah Coleman  
Deputy City Clerk II for  
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP  
Director  
Planning and Development Department

cc: Planning and Development Dept.  
Development Coordination-DPW  
Dept. Of Fire Services

Ms. Cherie Guzman  
JMA Architecture Studios  
10150 Covington Cross Drive  
Las Vegas, Nevada 89144

Ms. Tabitha Keetch  
KKB&R  
3800 Howard Hughes Parkway, 7<sup>th</sup> Floor  
Las Vegas, Nevada 89109

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